GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Water Resources Department- Sanction for an amount of Rs.4,78,77,638/- to Sri J. Sreenivasulu Reddy, Contractor as full and final settlement of the claim towards the work of "construction of Gorakallu bypass canal structure complex with single pressure pipe of 5 M from km 50.753 to Km 54.049 of SRBC"- Orders- Issued.

WATER RESOURCES (ARB) DEPARTMENT

G.O.RT.No. 96 Dated: 07-02-2018

Read the followings:-

1. Orders of the Hon'ble Prl.District Judge, Kurnool dated 28-02- 2006 In OS No. 1/2002.
2. Orders of the Hon'ble High Court, dt. 8-4-2009 in AS No. 484 /2009.
3. G.O.Rt.No.245 Irrigation & CAD (Maj.VI) Department, dated:03.04.2007.
4. From the CE(P), Irrgn, Kurnool, Lr. No. CE(P)/ KNL/ EE.2/ AEE.1/ SRBC. Arb/ 157.Govt., dt. 07.07.2009.
5. From the Sri J. Sreenivasulu Reddy, Contractor Bangalore Representation, dt : 23.05.2009 and 12.03.2010.
6. Govt.Memo.No.13274/ARB/2009 dated;03.08.2009, dated: 19.04.2010 and dated 21.01.2015.
7. From the Engineer-in-Chief(I) , Hyd., Lr. No. ENC(I) DCE (GDS) OT2/ AEE5/ Gorakallu- SRBC,OS.No.1/2002, dt:7.05.2015.

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ORDER:-

In the reference 4th read above, the Chief Engineer (Projects), Irrigation, Kurnool has reported that the work relating to "Construction of Gorakallu bypass canal structure complex with single pressure pipe of 5 M from km 50.753 to Km 54.049 of SRBC" was entrusted to Sri J. Sreenivasulu Reddy, contractor vide Agreement No.10 SE/ 94-95, dated: 25.05.1994.

2. In the reference 3rd read above, Government accorded sanction for an amount of Rs. 5,18,73,825/- and the amount was deposited in the Principal District Judge Court, Kurnool vide cheque bearing No.101113, dated 13.04.2007 and a letter was received from the agency vide letter No. Nil, dated 23.05.2009, stating that the decretal amount, which was deposited by the department in the Hon'ble Prl. District Judge Court, Kurnool was drawn by the agency and yet Rs. 6,46,29,936/- is pending to be received by 25th August 2009.

3. As per the court orders of Hon'ble High Court in the reference 2nd read above and based on the representation of Sri J. Sreenivasulu Reddy contractor, Bangalore, and as per the detailed report of the Chief Engineer (P), Irrigation, Kurnool dated 07.07.2009, instructions were issued to the Engineer-in-Chief (Irrigation), requesting to refer the case to the conciliation committee constituted for Reyalaseema Region as per G.O.Rt.No.103, I & CAD (ARB) Dept., dated 24.01.2008 to negotiate with the contractor for an amicable settlement vide Govt Memo No. 13274/ARB/ 2009-2, dated 03.08.2009.

4. In the reference 7th read above, the Engineer-in-Chief, Irrigation and Chairman/ Convener of the negotiation Committee, conducted a Conciliation Committee meeting. During the meeting, after detailed discussions, the Contractor has offered to reduce the interest from 12% PA to 9% PA from the date of award to the date of realization. Further, the committee asked the contractor to offer rebate on his claim amount. The contractor finally offered a rebate of 10% on the final amount after reduction of interest from 12% P.A. to 9% P.A. The contractor has given a letter agreeing for a final settlement of Rs.4,78,77,638/- .

(PTO)

5. Government after careful examination of the entire matter, hereby accord sanction of an amount of Rs.4,78,77,638/- (Rupees Four Crore Seventy Eight Lakh Seventy Seven Thousand Six Hundred and Thirty Eight only) to Sri J. Sreenivasulu Reddy, Contractor as full and final settlement of the claim towards work of "construction of Gorakallu bypass canal structure complex with single pressure pipe of 5 M from km 50.753 to Km 54.049 of SRBC",as recommended by the Conciliation Committee and as agreed by the contractor, subject to condition that the above said contractor should withdraw all legal proceedings pending in the Courts in respect of the above said work against the Govt., or its representative Officer after realization of the sanctioned amount by the above contractor.

6. The expenditure sanctioned in para (4) above shall be chargeable under the Head of Account "4700- COL Major Irrigation -01 Major Irrigation (Commercial) MH 121 SRBC GH11 State Development Schemes SH27- Canals and Distributaraies-530 Major work – 531 other expenditure (Charged).

7. The Chief Engineer (P), Irrigation, Kurnool, is directed to deposit the above sanctioned decretal amount to the credit of O.S No 1/2002 on the file of the Hon'ble Principle District Judge Court, Kurnool, for avoiding further legal complications in the matter. He is also directed to obtain a declaration on a notarized affidavits from the above Contractor stating that he shall withdraw all legal proceedings in respect of work covered under O.S No 1/2002 against the Government of Andhra Pradesh or its representative after realization of accepted amount. Further, he is also directed to instruct the disbursing office concerned to obtain declaration from the above contractor accepting the amount as full and final settlement of all its claims before depositing the above sanctioned amount in the respective court.

8. The Chief Engineer (P), Irrigation, Kurnool is requested to take immediate necessary action accordingly.

9. This order issues with the concurrence of the Finance (W&P) Dept., vide their U.O.Note.No.48022/423/FMU.WR.II/2017 dated:03.01.2018.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
SECRETARY TO GOVERNMENT

To
The Chief Engineer (Projects) Irrigation, Kurnool.
Copyto:
The Special Government Pleader for Irrigation,
O/o. the Advocate General.
High Court Buildings, Hyderabad.
The Government Pleader for L.A,
High Court Buildings, Hyderabad.
The Pay & Account Officer, Nandyal.
The Director of Works & Accounts, Kadapa.
The Finance (FMU.WR.II) Department.
The Law Department.
The General Administration (Cabinet) Department.
The P.S to Minister (WRM) Department/
P.S to Secretary (WRD) Department.
SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER